IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1272 OF 2007

Nenshi Korshi Shah ...

Petitioner

versus

The Chief Officer, MHADA and others ...Respondents

Mr. Sharan Jagtiani, instructed by M/s. RMG Law Associates, for the petitioner.

Mr. G.D. Uttangale, instructed by M/s. Uttangale & Co., for respondent No.2.

Mr. A.S. Mungekar for respondent No.3.

CORAM: **SWATANTER KUMAR, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **SEPTEMBER 11, 2007**.

P.C.

Learned counsel appearing for the second respondent states that the order sought to be impugned in the present writ petition is appealable under the statute itself and an appeal lies to the Secretary, SRA. He further states that if the petitioner files appeal within two weeks from today, the same would not be rejected on the ground of limitation, as the petitioner was bona fide pursuing the present writ petition before this Court. We find the statement made on

behalf of respondent to be just and fair. Consequently, nothing survives in this petition. The same is disposed of with liberty to the petitioner to file the appeal within two weeks from today which shall be disposed of in accordance with law expeditiously. No order as to costs.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.